

MEETING OF

THE DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION

A meeting of the Delaware Agricultural Lands Preservation Foundation was held at the Delaware Department of Agriculture, 2320 S. DuPont Hwy. Dover, Delaware, July 12, 2006, with the following members in attendance:

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| Robert F. Garey, Chairman | Michael T. Scuse, Secretary of Agriculture |
| William Vanderwende, Vice Chairman | Pam Millman (representing Jack Markell, State Treasurer) |
| Lyn Davenport, Secretary | Kevin Coyle (representing John Hughes, Secretary of DNREC) |
| Alden Hopkins | |

Absent: W. Allen Jones, Theodore P. Bobola, Jr. and Dennis Clay.

The following staff members were in attendance: Michael McGrath, Howard Mesick, Milton Melendez, Danielle Klosowski, Cathy Mesick, Scott Blaier, and Robin West.

Others in attendance: F. Michael Parkowski, Esq., Mr. Leon Messina, Mr. Kenny Warner, Ms. Eleanor Warner, Mr. Gary Warner, Mr. Julian Rexrode, Mr. Jimmy Bowman, and Mr. Phil Tuthill.

Chairman Garey opened the meeting at 8:34 a.m. with prayer.

I. Progress Report:

Milton Melendez informed the Board that we have a total of 654 farms in preservation districts totaling 143,919 acres, with a total of 462 farms under agricultural easements totaling 82,247 acres at a cost of \$119,334,291. For PDR 12 there are a total of 106 farms comprising 13,338 acres with a value of \$207,255,716 to be considered for purchase of development rights.

II. Expansion Eligibility/Final Approval

1. The Browns Homestead Expansion of the Hopkins District, ID#K-06-04-002A. After discussion, **Lyn Davenport moved to accept for eligibility/final approval the Browns Homestead Expansion of the Hopkins District, seconded by Kevin Coyle. Motion unanimously approved.**
2. The Vogl Expansion of the Vogl District, ID#K-06-04-041H. After discussion, **William Vanderwende moved to accept for eligibility/final approval the Vogl Expansion of the Vogl District, seconded by Kevin Coyle. Motion unanimously approved.**
3. The Rexrode Expansion of the Vogl District, ID#K-06-04-041G. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Rexrode Expansion of the Vogl District, seconded by Lyn Davenport. Motion unanimously approved.** Mr. Rexrode wanted to know about putting a house on the property. Michael McGrath said that he would have 2 acres to place a house on.
4. The Vogl #2 Expansion of the Vogl District, ID#K-06-04-041I. After discussion, **William Vanderwende moved to accept for eligibility/final approval the Vogl #2 Expansion of the Vogl District, seconded by Kevin Coyle. Motion unanimously approved.**
5. The Rexrode #2 Expansion of the Vogl District, ID#K-06-04-041J. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Rexrode #2 Expansion of the Vogl District, seconded by Lyn Davenport. Motion unanimously approved.**
6. The Messina Expansion of the Vogl District, ID#K-06-04-041K. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Messina Expansion of the Vogl District, seconded by William Vanderwende. Motion unanimously approved.**
7. The Gross Expansion of the White Marsh District, ID#K-06-04-064E. After discussion, **Lyn Davenport**

moved to accept for eligibility/final approval the Gross Expansion of the White Marsh District, seconded by Kevin Coyle. Motion unanimously approved.

8. The King Expansion of the White Marsh District, ID#K-06-04-064-2. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the King Expansion of the White Marsh District, seconded by William Vanderwende. Motion unanimously approved.**

9. The Swan Creek Expansion of the Kimbowrosa District, ID#K-06-03-233B. After discussion, **Lyn Davenport moved to accept for eligibility/final approval the Swan Creek Expansion of the Kimbowrosa District, seconded by Kevin Coyle. Motion unanimously approved.** Mr. Warren questioned why the three acres with the houses couldn't be placed in the preservation program. Mike Parkowski explained that this was because the 3 acre parcel was in a different form of title.

10. The Boscher Expansion of the Tybout Tract District, ID#N-06-03-130M. After discussion, **William Vanderwende moved to accept for eligibility/final approval the Boscher Expansion of the Tybout Tract District, seconded by Kevin Coyle. Motion unanimously approved.**

11. The Jones Expansion of the Webb-Donovan District, ID#S-06-03-136A. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Jones Expansion of the Webb-Donovan District, seconded by Lyn Davenport. Motion unanimously approved.**

III. Public Comments – Mr. Phil Tuthill expressed his pleasure that so many people turned out for the Foundation meeting this morning. He also wanted to know about the 200 acres needed to get into the Forestland Preservation Program. Chairman Garey explained that most landowners could come into the Forestland Preservation Program as an expansion to an existing District. Mike McGrath stated that the rules and regulations for the Forestland Preservation Program will be pretty much the same as for the Farmland Preservation Program. Mr. Messina had questions about the Forestland Preservation Program also, and was referred to the Forestry Section.

IV. Minutes - Chairman Garey asked if there were additions or corrections to the June 14, 2006 minutes. Receiving no additions or corrections to the minutes, **Kevin Coyle moved the minutes be approved, seconded by Lyn Davenport. Motion unanimously approved.**

V. Financial Highlights:

Cathy Mesick informed the Foundation Board that we had, as of June 30, 2006, \$2,347.64 in the Foundation's checking account. The Foundation's interest bearing State of Delaware account had a balance of \$168,658.88. Revenue for the month of June was \$3,442.57 in roll back taxes. Expenditures for the month of June totaled \$56,272.59. After discussion, **Lyn Davenport moved to accept the Financial Report as presented, seconded by Kevin Coyle. Motion unanimously approved.**

Cathy Mesick presented a memorandum from the Bookkeeper requesting transfers of funds from one account to another and the addition of \$1,996.41 for Legal Fees. This addition of \$1,996.41 for Legal Fees would be an increase in the Budget. After discussion, **Lyn Davenport moved to allow the transfer of funds and to allow the increase in the Budget, seconded by Kevin Coyle. Motion unanimously approved.**

VI. Executive Session – There was no need for an Executive Session.

VII. Other Business:

1. Hearing Officer

The Board discussed appointment of a Hearing Office for the July 26th Public Hearing for the Rules and

Regulations of the Forestland Preservation Program. After discussion, **William Vanderwende moved that a resolution be signed by the Chairman stating that William Denman be the Hearing Officer, seconded by Kevin Coyle. Motion unanimously approved.**

2. Payment for Litigation

Michael McGrath informed the Board that these expenses would be placed on the financial statements, but would be separate from the budget because we cannot really budget for litigation costs as we have no idea what the costs will be in the future.

VIII. **Secretary Scuse waived his veto of the Secretary of Agriculture for the eleven Expansions approved at today's Foundation meeting.**

VIX. Adjournment

As there was no further business to come before the Foundation, the meeting adjourned at 9:20 a.m. The next meeting of the Foundation will be held on August 9, 2006 at the Delaware Department of Agriculture, beginning at 8:30 a.m.

Respectfully submitted,

Lyn Davenport
Secretary